SINGLE BENCH

(3)

(5)

CF-1002

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

(CHHATTISGARH)

WRIT PETITION (S) NO. 4381 OF 2006

PETITIONER : Babulal Rajwade,
Son of Shri Gulsai, aged about 43 years, Presently working as Upper Division Teacher, Middle School Sakalpur, Block Pratappur, District Surguja (C.G.).

4426/06
P.R. No.
Presented by Shri Vipin Tiwari
dated 14/8/06

VERSUS

RESPONDENTS :

1. State of Chhattisgarh,
Through: The Secretary,
Department of School Education
D.K.S. Bhawan Raipur (C.G.).

Rina
14/8/06
RECEIVED-COPY
CLERK to A. G. BILASPUR

2. The Secretary,
Department of Tribal Welfare,
D.K.S. Bhawan, Raipur (C.G.).

OATH COMMISSIONER
APARNA MALVIYA
CG-307/2006
08/08/06
Bilaspur Chhattisgarh

3. The Commissioner,
Tribal Development, Raipur (C.G.).

4. The Collector,
Ambikapur, District Surguja (C.G.).

5. The Assistant Commissioner,
Tribal Development, Ambikapur,
District Surguja (C.G.).

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

The petitioner most respectfully states as under:-

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP No. 4381/06 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	18.8.2006 Smt. Mala Dubey, Advocate for the petitioner. Smt. Anju Ahuja, Dy. Govt. Advocate for the State on advance copy. Heard. By the instant petition, the petitioner has challenged his transfer order dated 30.6.2006 (Annexure P-1) made under the Rationalization Scheme, 2006. The main grievance of the petitioner is that without following the provisions of the scheme the petitioner has been transferred. Clause-7 of the scheme provides for an appeal to an aggrieved teacher, as such, the petitioner has equally, efficacious, alternative remedy to redress his grievance, therefore, the petitioner, if so advised, may avail the provisions of Clause-7 of the scheme in order to redress his grievance and in the first instance, the petition is not maintainable and same is dismissed. Learned counsel for the petitioner submitted that the petitioner has already made representation to respondent No.4 regarding the aforesaid grievance. Respondent No.4 may also consider the representation of the petitioner and pass appropriate orders. The time taken by the petitioner in filing this petition till its disposal shall be condoned by the appellate authority, if the petitioner prefers an appeal as per clause-7 of the scheme. Consequently, M.(W.)P. No.3400/06 also stands dismissed. Sd/- L.C. Bhadoo Judge	

P.T.O.

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